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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,715	06/03/2005	Tim A. Von Kaenel	Q02-02B : 65.02USN	5473

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EXAMINER
WU, YICUN

ART UNIT	PAPER NUMBER
2165	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/537,715	VON KAENEL ET AL.
	Examiner	**Art Unit**	
	Yicun Wu	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>03 June 2005</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-45</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-45</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

III. DETAILED ACTION

1.   Claims 1-45 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
patent by another filed in the United States before the invention by the applicant for patent, except that an
international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
subsection of an application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.   •

2.   Claims 1-45 are rejected under 35 U.S.C. 102(e) as being anticipated over Murto et al.,

(U. S. Patent No. 7,249,100 and Murto hereinafter).

As to claim 1, Murto discloses a method, comprising:

receiving a selection of customer sites (i.e. user location. Col. 2, lines 17-25);

querying a database (i.e. UDDI Col. 2, lines 17-25) to determine geographical locations

of the selected customer sites (i.e. geographical locations. Col. 2, lines 17-25);

rendering, in a graphical user interface(fig. 1, item 100), representations of the selected

customer sites in a map at the geographical location of the selected sites in the map (fig. 1, item

100);

receiving selection of at least one network service provider (NSP) (fig. 1, item 100 and col. 2, lines 65-67);

querying the database (i.e. UDDI Col. 2, lines 17-25) to determine network infrastructure (i.e. Internet business and services. Col. 1, lines 63.) of the selected NSP and geographical locations (i.e. geographical locations. Col. 2, lines 17-25) of the determined network infrastructure (fig. 5-6 and col. 17, lines 54-58 and col. 18, lines 26-30); and

rendering representations of the determined network infrastructure in a map (i.e. map. Col. 18, lines 30-35) at the determined geographical locations of the determined network infrastructure to render a visualization of the geographical locations of the selected customer sites and network infrastructure of the selected at least one NSP in the map (fig. 1 and fig. 6. and col. 18, lines 26-45 and col. 2, lines 56-67).

As to claim 2, Murto discloses a method, wherein the determined network infrastructure comprises

at least one of a switch and a network path (i.e. switched. Col. 18, lines 50-55), and

wherein the network infrastructure geographical location comprises at least one of a switch site location and a route of the network path (i.e. Packet switched. Col. 18, lines 50-55).

As to claim 3, Murto discloses a method, wherein the map comprises

a street map (i.e. map. Col. 18, lines 30-35), and wherein

the rendered map visualizes transportation corridors (i.e. map location and map information service and/or databases. Col. 18, lines 30-35), and wherein

the rendered customer sites and network infrastructure are visualized (fig. 1)

superimposed over rendered transportation corridors in the street map (i.e. (MAP location and

map information. Col. 18, lines 30-35).

As to claim 4, Murto discloses a method, further comprising:

receiving user selection of one rendered customer site (col. 2, lines 16-25);

querying the database to determine information on the selected customer site (col. 2, lines

16-25); and

rendering the determined information on the selected customer site in a dialog box (fig.

1).

As to claim 5, Murto discloses a method, further comprising:

querying connection information in the database to determine connections between the

rendered customer sites (col. 16, lines 11-19); and

rendering connections between the customer sites in the map to visualize the determined

connections (i.e. reply. col. 16, lines 11-19 and fig. 1).

As to claim 6, Murto discloses a method comprising:

receiving a query including search criteria with respect to a parameter concerning

network connectivity at the customer sites (col. 16, lines 11-19);

querying the database to determine connections between customer sites having network

connectivity information satisfying the search criteria included with the query (col. 16, lines 11-

19); and

rendering the determined connections in a different visual manner than those connections

that do not satisfy the search criteria (col. 16, lines 11-19 and fig. 1).

As to claim 7, Murto discloses a method wherein the connection information includes

information on at least one of connected sites, connection bandwidth, and connection

circuit types (col. 16, lines 11-19).

As to claim 8, Murto discloses a method further comprising:

receiving a definition of a buffer region with respect to a selected customer site (col. 19,

lines 31-35);

querying the database to determine NSP network infrastructure located within the defined

buffer region (fig. 1 and col. 19, lines 31-35);

rendering the buffer region around the rendering of the selected customer site in the map

(fig. 1 and col. 19, lines 31-35); and

rendering the determined NSP network infrastructure within the defined buffer region in

the map (col. 19, lines 31-35).

As to claim 9, Murto discloses a method wherein

NSP network infrastructure rendered within the defined buffer region is rendered

differently than NSP network infrastructure rendered outside of the buffer region (col. 19, lines

31-35).

As to claim 10, Murto discloses a method further comprising:

generating a report identifying at least one of:

the network infrastructure located within the buffer region (col. 19, lines 31-35), the NSP

managing the identified network infrastructure, and

a distance of the identified network infrastructure from the selected customer site for

which the buffer region is defined (fig. 6).

As to claim 11, Murto discloses a method, wherein the network infrastructure includes

network switches and network paths (i.e. Packet switched. Col. 18, lines 50-55), wherein

rendering the representations of the determined network infrastructure (fig. 1) comprises

rendering representations of the determined switches (i.e. Packet switched. Col. 18, lines

50-55) in the map, further comprising:

querying the database to determine network paths between the network switches (i.e.

Packet switched. Col. 18, lines 50-55) rendered in the map (i.e. narrowed. col. 19, lines 31-35);

and

rendering the network paths between the network switches in the map (col. 19, lines 31-

35).

As to claim 12, <u>Murto</u> discloses a method, wherein the map comprises

a street map, and wherein the network paths are rendered superimposed over

transportation corridors rendered on the map (i.e. map location and map information service

and/or databases (MAP/GIS. Col. 18, lines 30-35).

As to claim 13, <u>Murto</u> discloses a method, further comprising:

receiving user selection of a proposed path between the customer site and one network

switch (This is considered intended use by the Examiner);

rendering the proposed path in the map (MAP/GIS. Col. 18, lines 30-35); and

generating and rendering information on the proposed path in the map, including

information on the distance of the proposed path (MAP/GIS. Col. 18, lines 30-35).

As to claim 14, <u>Murto</u> discloses a method, further comprising:

receiving selection of a plurality of customer sites rendered in the map (fig. 1);

receiving a definition of parameters of a buffer region with respect to the selected

customer sites (col. 19, lines 30-39);

determining buffer regions for each of the selected customer sites satisfying the defined

parameters for the buffer region(col. 19, lines 30-39);

querying the database to determine NSP network infrastructure located within each

determined buffer region (col. 18, lines 33-40);

rendering each determined buffer region (col. 19, lines 30-39) around each selected

customer site in the map (col. 18, lines 33-40); and

rendering the determined NSP network infrastructure within each defined buffer region in

the map (col. 19, lines 30-39).

As to claim 15, <u>Murto</u> discloses a method further comprising:

generating a report identifying at least one of:

the network infrastructure (col. 18, lines 33-40) located within the determined buffer

regions(col. 19, lines 30-39) ;

the NSPs managing the identified network infrastructure within the determined buffer

regions; and,

for each selected customer site, a distance of the identified network infrastructure from

the selected customer site within the buffer region for the selected customer site (fig. 6).

3.   As to claims 16-45, the limitations of these claims have been noted in the rejection above.

They are therefore rejected as set forth above.

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Yicun Wu whose telephone number is 571-272-4087. The

examiner can normally be reached on 8:00 am to 4:30 pm, Monday -Friday.

· If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone numbers for the

organization where this application or proceeding is assigned are 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 571-272-2100.

Yicun Wu
Patent Examiner
Technology Center 2100

September 25, 2007